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PATENTING REJECTION OVER A PENDING SECOND APPLICATION**Docket Number (Optional)
DANA-138

In re Application of: Darrell T. McKenzie

Application No. 09/965,806

Filed: October 1, 2001

For: COMBINATION FILTER ELEMENT SUPPORT AND ANTI-PREFILL VALVE

The owner*, Dana Corporation of 100% percent interest by virtue of an assignment document filed on even date in the United States Patent and Trademark Office. The instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 09/965,805, filed on October 1, 2001. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

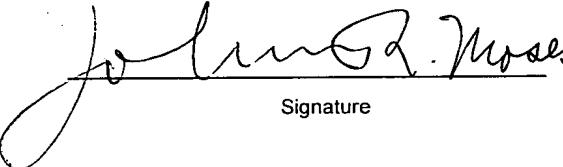
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2. The undersigned is an attorney of record.



John R. Moses January 22, 2003
Signature Date

John R. Moses
Typed or printed name

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